

BEFORE THE
ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED

JUL 20 2006

ADMINISTRATIVE HEARING
COMMISSION

W. DALE FINKE, Director
Department of Insurance
State of Missouri,

Petitioner,

v.

Case No. 060209078C

ROCKY A. FORD
and
COUNTY WIDE INSURANCE AGENCY,
Serve both Respondents at:
Rocky A. Ford, President
24471 Oak Road
Granby, MO 64844

Respondents.

COMPLAINT

W. Dale Finke, Director, Missouri Department of Insurance, by counsel, for his Complaint
against Respondents, states as follows:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director of the Missouri Department of Insurance (hereinafter
"Department" or "Director") whose duties, pursuant to Chapter 375, RSMo, include the supervision
and regulation of insurance producers.

2. Respondent, Rocky A. Ford (hereinafter "Respondent Ford"), was issued an insurance
producer license by the Director, number PR285282, which license expired on November 30, 2005.

3. Respondent, County Wide Insurance Agency (hereinafter "Respondent County Wide"), has been licensed by the Director as a business entity producer, number AG09565, which license is currently in good standing.

4. Respondent Ford is, and was at all times mentioned in this Complaint, the sole owner and officer of Respondent County Wide. At all times mentioned in this Complaint, Respondent Ford was acting on behalf of Respondent County Wide.

5. This Commission has jurisdiction of this Complaint pursuant to section 621.045, RSMo.

Count I

6. Respondent Ford has improperly withheld, misappropriated or converted moneys or properties received in the course of doing insurance business, a ground for discipline under section 375.141.1(4), RSMo Cum. Supp. 2005.

7. The facts are as follows:

- a. On or about August 20, 2004, Respondent Ford received funds in the amount of \$231,866 from the City of Monett, Missouri. Such funds were for an insurance premium payment to Respondent Ford. Respondent Ford overcharged the City of Monett, Missouri \$32,142 so that \$196,940 of such funds belonged to St. Paul Travelers Insurance Group and \$32,142 of such funds belonged to the City of Monett, Missouri. Respondent Ford appropriated \$49,940 of the funds belonging to St. Paul Travelers Insurance Group and the \$32,142 belonging to the City of Monett for his own use or diverted such funds for a use other than that intended.

- b. On or about July 15, 2005, Respondent Ford received funds in the amount of \$15,782 from the Billings Special Road District. Such funds were for an insurance premium payment to Respondent Ford. Respondent Ford overcharged the Billings Special Road District \$2,598. The \$15,782 belonged to the Billings Special Road District and Respondent Ford appropriated the entire \$15,782 for his own use or diverted such funds for a use other than that intended.

Count II

8. Respondent Ford has admitted to having committed fraud, a ground for discipline under section 375.141.1(7), RSMo Cum. Supp. 2005.

9. The facts are as follows:

- a. Petitioner realleges and incorporates by reference herein all of the allegations contained in Count I of this Complaint.
- b. Respondent Ford's actions were done with the intent of defrauding the City of Monett, Missouri and Billings Special Road District, and Respondent Ford admitted such fraudulent acts to the Department of Insurance at a subpoena conference held at the Department of Insurance on November 30, 2005.

Count III

10. Respondent Ford has used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under section 375.141.1(8), RSMo Cum. Supp. 2005.

11. The facts are as follows:

- a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts I and II of this Complaint.

Count IV

12. Respondent County Wide has improperly withheld, misappropriated or converted moneys or properties received in the course of doing insurance business, a ground for discipline under section 375.141.1(4), RSMo Cum. Supp. 2005.

13. The facts are as follows:

- a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts I, II and III of this Complaint.

14. At all times mentioned in this Complaint Respondent Ford was acting on behalf of Respondent County Wide.

Count V

15. Respondent County Wide has admitted to having committed fraud, a ground for discipline under section 375.141.1(7), RSMo Cum. Supp. 2005.

16. The facts are as follows:

- a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts I, II, III and IV of this Complaint.

17. At all times mentioned in this Complaint Respondent Ford was acting on behalf of Respondent County Wide.

Count VI

18. Respondent County Wide has used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under section 375.141.1(8), RSMo Cum. Supp. 2005.

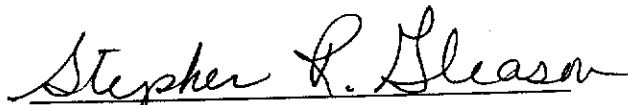
19. The facts are as follows:

a. Petitioner realleges and incorporates herein by reference all of the allegations contained in Counts I, II, III, IV and V of this Complaint.

20. At all times mentioned in this Complaint Respondent Ford was acting on behalf of Respondent County Wide.

WHEREFORE, Petitioner requests that this Commission find cause to discipline the insurance producer licenses of Respondent Ford and Respondent County Wide.

Respectfully submitted,



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ATTORNEY FOR PETITIONER:
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State of Missouri